

IN RE: PETITION FOR SPECIAL HEARING
W/S of Dundalk Avenue, 262' +/-
S of St. Helena Avenue
(76 Dundalk Avenue)
12th Election District
7th Councilmanic District
William M. Huhn, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-366-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve the nonconforming use of the subject property as a two apartment dwelling in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 76 Dundalk Avenue, consists of .046 acres zoned D.R. 10.5 and is improved with a two story attached dwelling with basement. As a result of a complaint filed with the Zoning Office, Petitioners were advised to file the instant Petition to approve a nonconforming use of the subject property as a two apartment dwelling. Testimony indicated Petitioners purchased the property in 1977 from Betty Lou Weber at which time the first and second floors were rented as one apartment and the basement as a second apartment. Mr. Huhn testified that they have continued to rent the property as a two apartment dwelling without interruption other than for a change in tenants. Petitioners argued the property enjoys a nonconforming use as it has been used continuously and without interruption as a two apartment dwelling since 1950. To support their position, Petitioners introduced the affidavit of John W. Paul, Jr. who testified that since August, 1950 the property has been used as a two apartment dwelling. Testimony indicated Mr. Paul lives a few streets from the subject site on Patapsco Avenue and was familiar with the property. Petitioners further testified that they had spoken with Mrs. Eugenia A. Freiseis who was a personal friend of the original property owner, a Mrs. Schork. Testimony indicated that Mrs. Freiseis was familiar with the property and was aware that the property was rented as a two apartment dwelling continuously and without interruption from 1945 to 1976 at which time Mrs. Schork's estate sold the property.

A review of the zoning maps of Baltimore County would indicate that the property was zoned "g" commencing in 1945 which permitted as of right a two apartment dwelling.

At the close of the hearing, Petitioners were advised that more detailed information was needed from both Mr. Paul and Mrs. Freiseis to support the testimony presented. Mr. Paul was excused as he was out of town at the time of the hearing and Mrs. Freiseis was recently hospitalized preventing her from attending the hearing as planned. Said information has been submitted and marked Petitioner's Exhibits 3 and 4.

Petitioners seek relief from Section 104.1, pursuant to Section 500 of the Baltimore County Zoning Regulations (B.C.Z.R.).

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning. Testimony indicated that at the time the dwelling was converted to a two apartment dwelling, the use was permitted under the property's then zoning classification.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is

a different use, and therefore, breaks the continued nature of the non-conforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered non-conforming. See McKenny v. Baltimore County, Md., 39 Md. App. 257, 385 A2d. 96 (1978). The testimony presented in this instance indicates that there has been no change or expansion of the use.

After due consideration of the testimony and evidence presented, it appears that the subject property has been used continuously and without interruption as a two apartment dwelling and as such, a legal nonconforming use of the property exists.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of April, 1990 that the Petition for Special Hearing to approve the nonconforming use of the subject property as a two apartment dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

AMN:bjs

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 837-3353
J. Robert Haines
Zoning Commissioner

April 12, 1990

Mr. & Mrs. William M. Huhn
76 Dundalk Avenue
Baltimore, Maryland 21222

RE: PETITION FOR SPECIAL HEARING
W/S of Dundalk Avenue, 262' +/- S of St. Helena Avenue
(76 Dundalk Avenue)
12th Election District - 7th Councilmanic District
William M. Huhn, et ux - Petitioners
Case No. 90-366-SPH

Dear Mr. & Mrs. Huhn:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-366-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a nonconforming use for an existing two apartment dwelling.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

William M. Huhn
(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

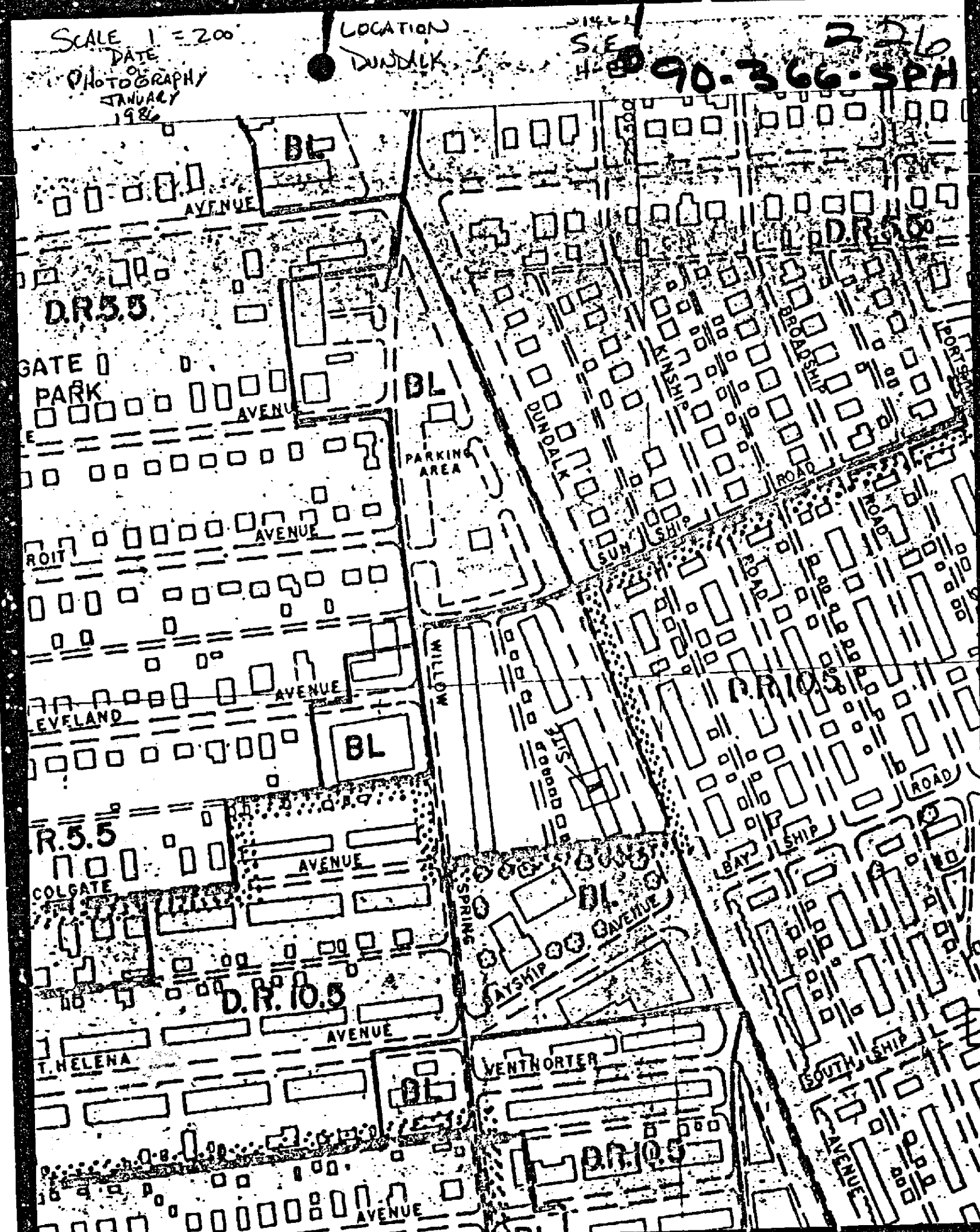
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of Feb, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 21st day of March, 1990, at 11 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

Z.C.O.-No. 1

(over)



ZONING DESCRIPTION

Beginning at a point on the west side of Dundalk Avenue which is 120' wide at the distance of 262' south of St. Helena Avenue which is 40' wide. Being Lot # (9), Block (1) in the Subdivision of Dundalk Manor as recorded in the Baltimore County Plat Book # (9), Folio # (49), containing .046 acres. Also known as 76 Dundalk Avenue in the # 12 Election District.

Baltimore County
Zoning Commission
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 920

Date

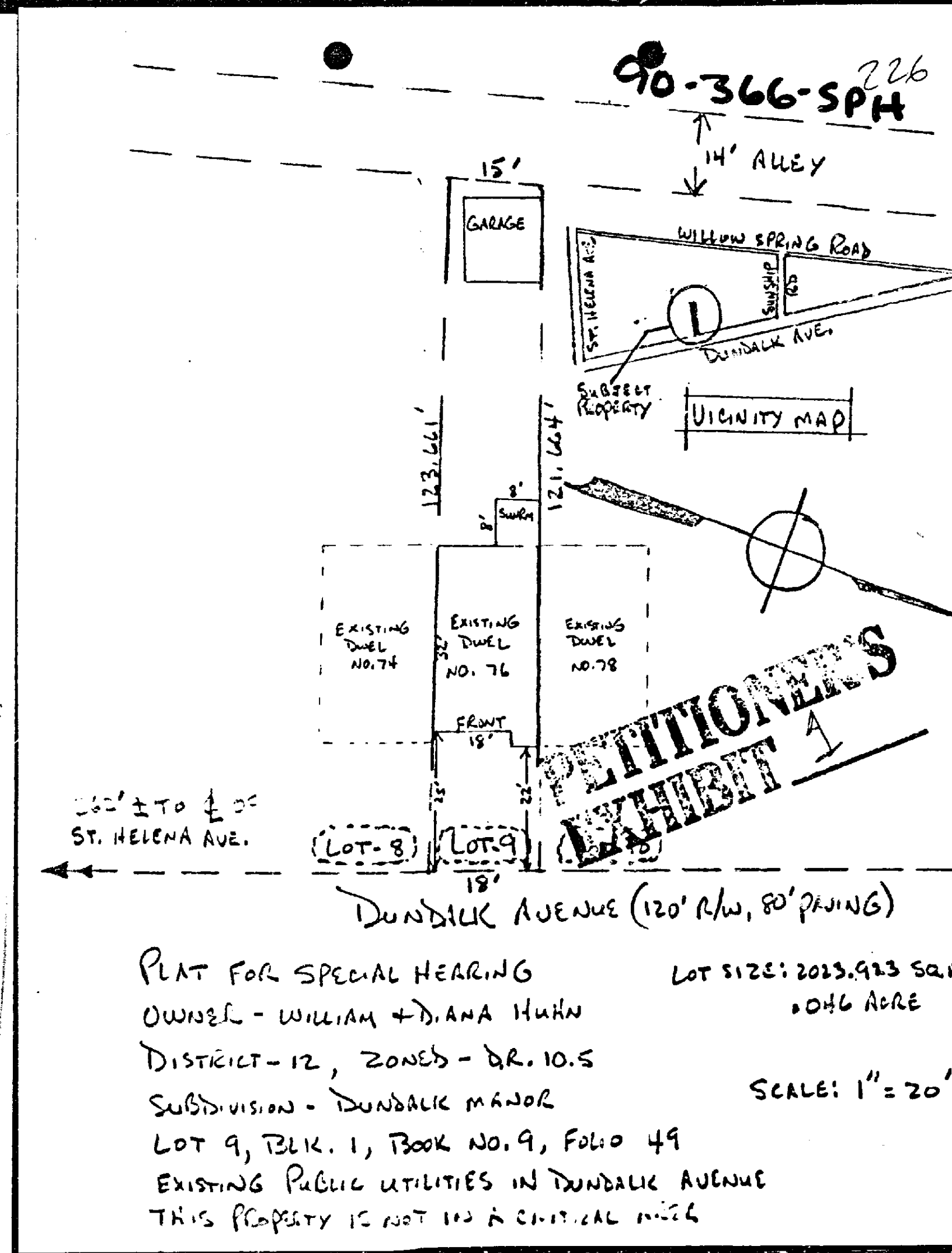
PUBLIC HEARING FEES

0.00 - SPECIAL HEARING (TTL)

LAST NAME OF OWNER: HUHN

Cashier Validation

Please make checks payable to: Baltimore County



AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant and Affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

John W. Paul, Jr.
Affiant (Handwritten Signature)
John W. Paul, Jr.
Affiant (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

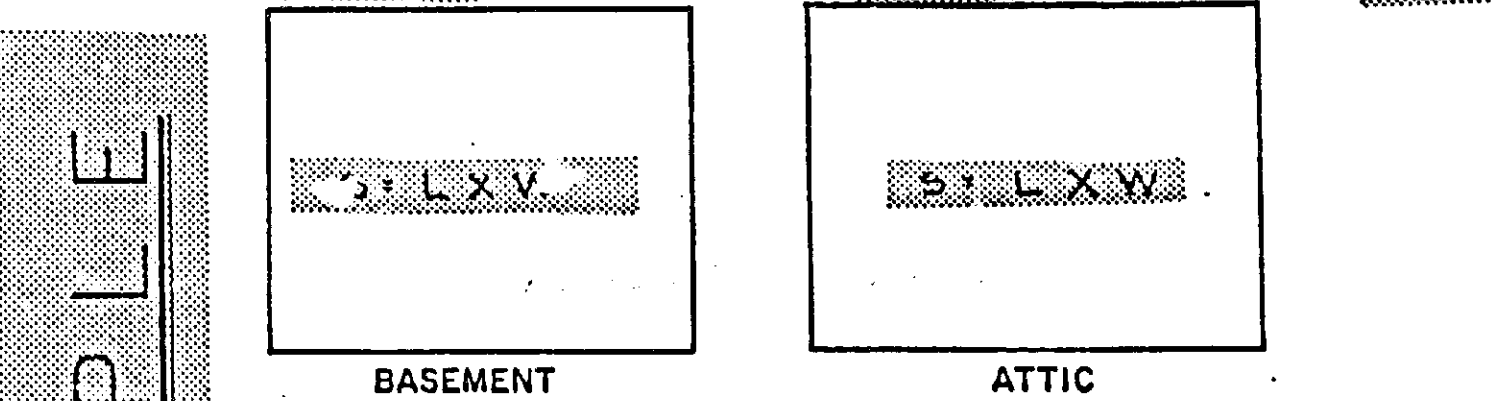
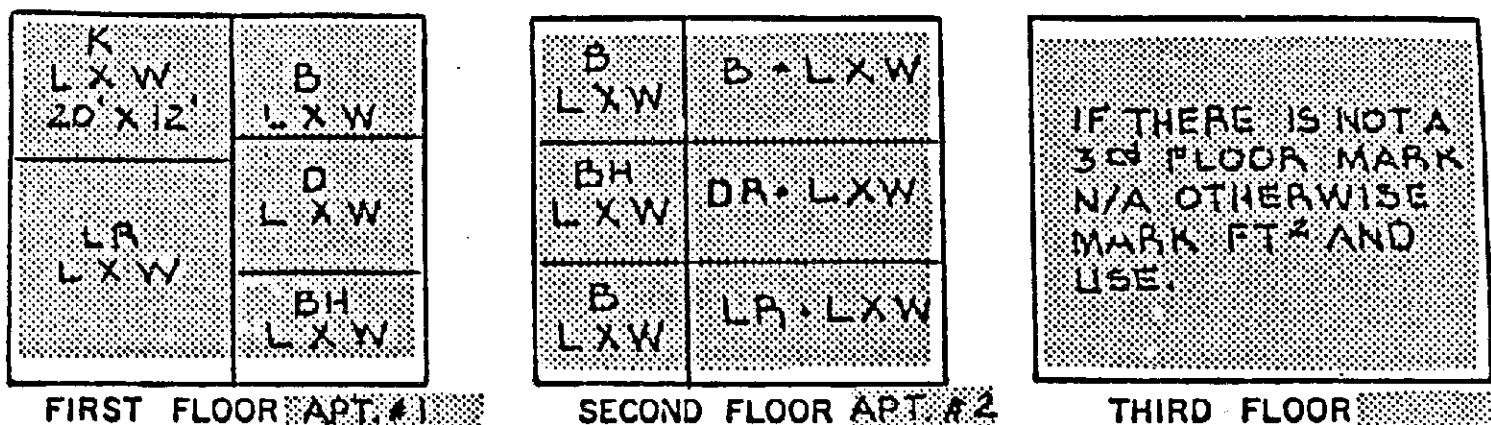
- Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 76 DUNDALK AVENUE BALTO. MD. 21222 has been occupied as a TWO (two, three, etc.) apartment dwelling since AUGUST 1950? YES (month) (year) (answer)
- Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since AUGUST 1950? YES (month) (year) (answer)
- Will you realize any gain from the sale of this Property?

STATE OF MARYLAND, County of Baltimore, to wit:
I HEREBY CERTIFY, this 8th day of August, 1952, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared *John W. Paul, Jr.* identified to me as such the Affiant herein, personally known or satisfactorily identified to me as such the Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

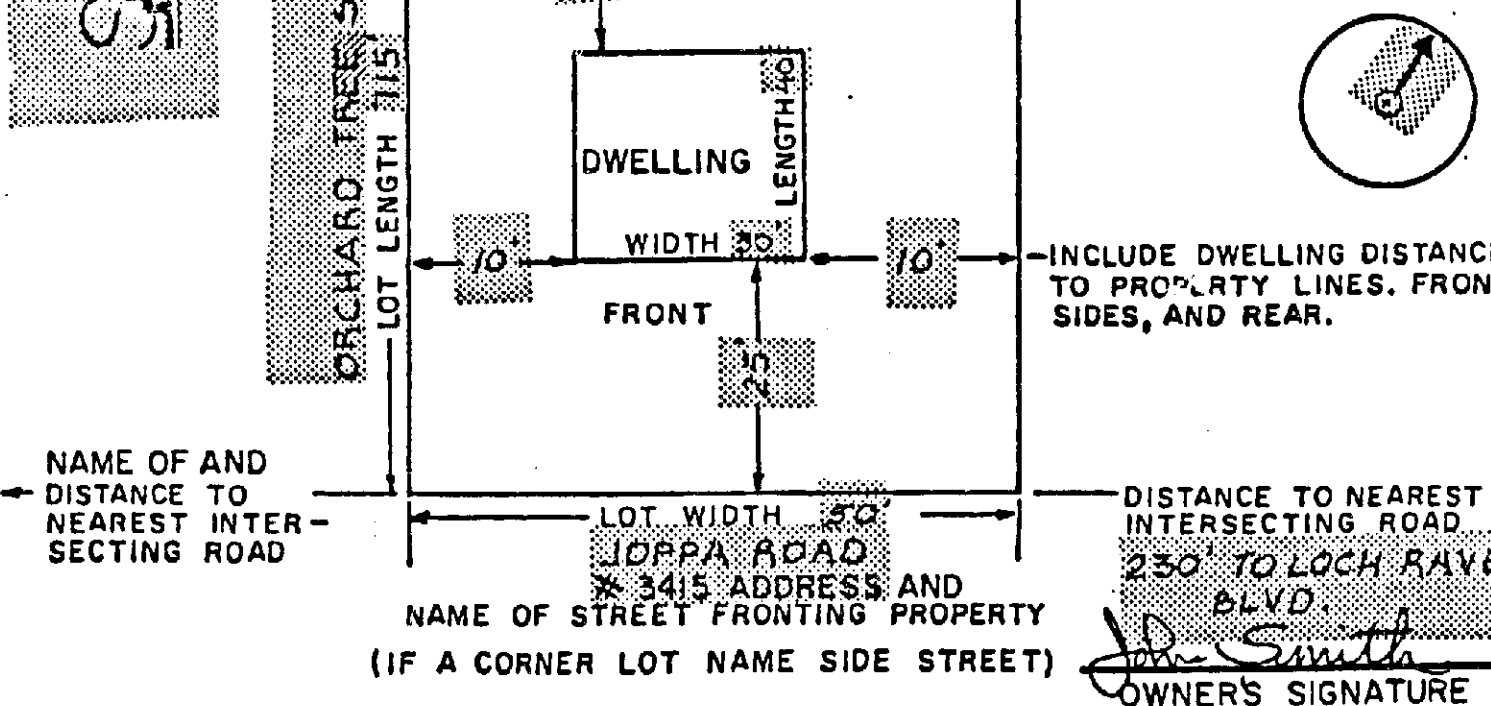
Deborah A. Albright
Notary Public
My Commission Expires: 10/5/93

THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$3500 MADE PAYABLE TO: BALTIMORE COUNTY

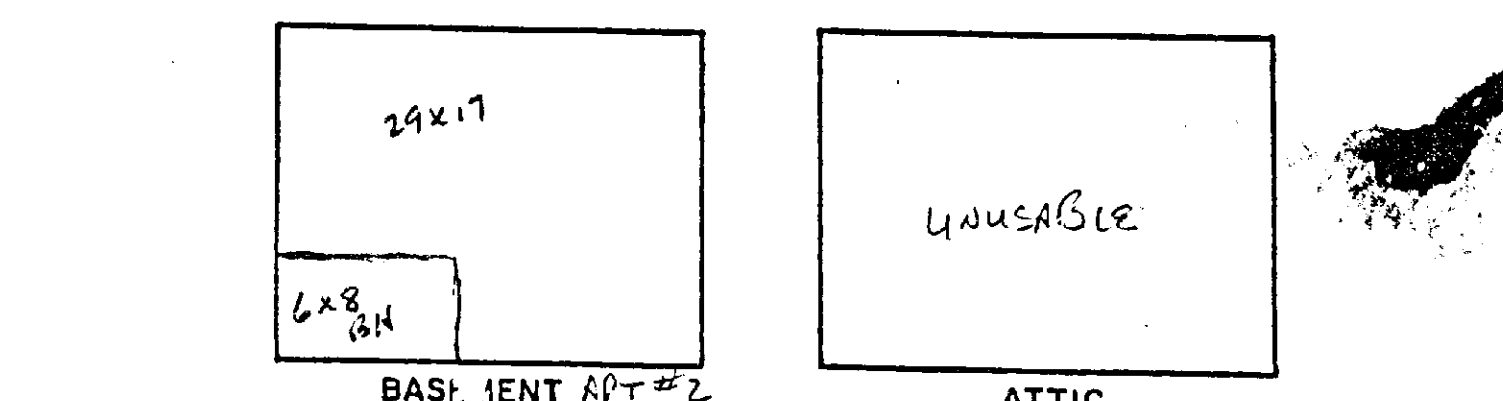
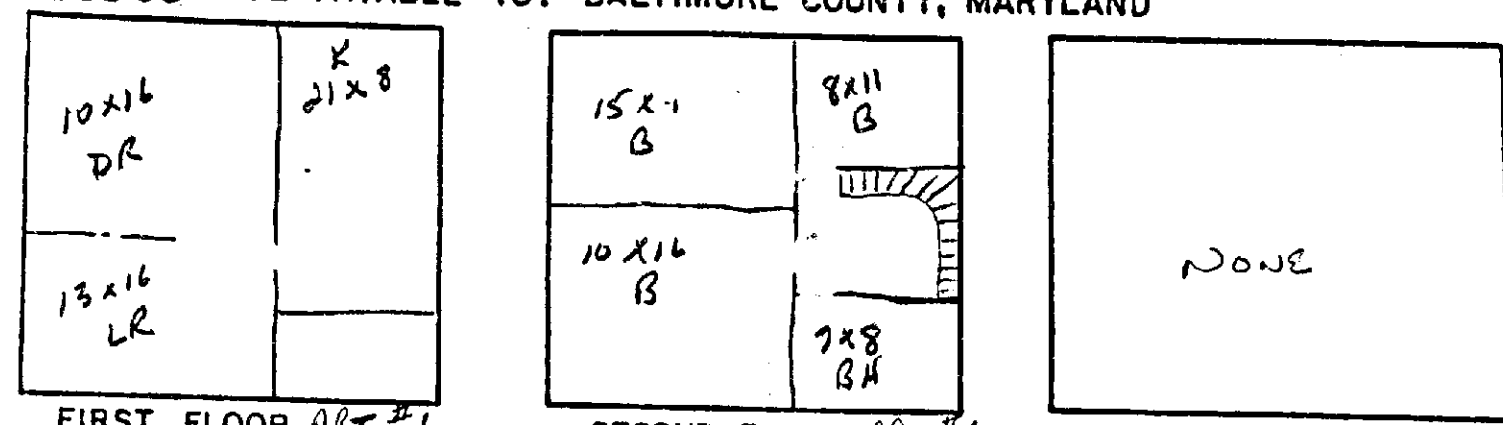


DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.

LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.

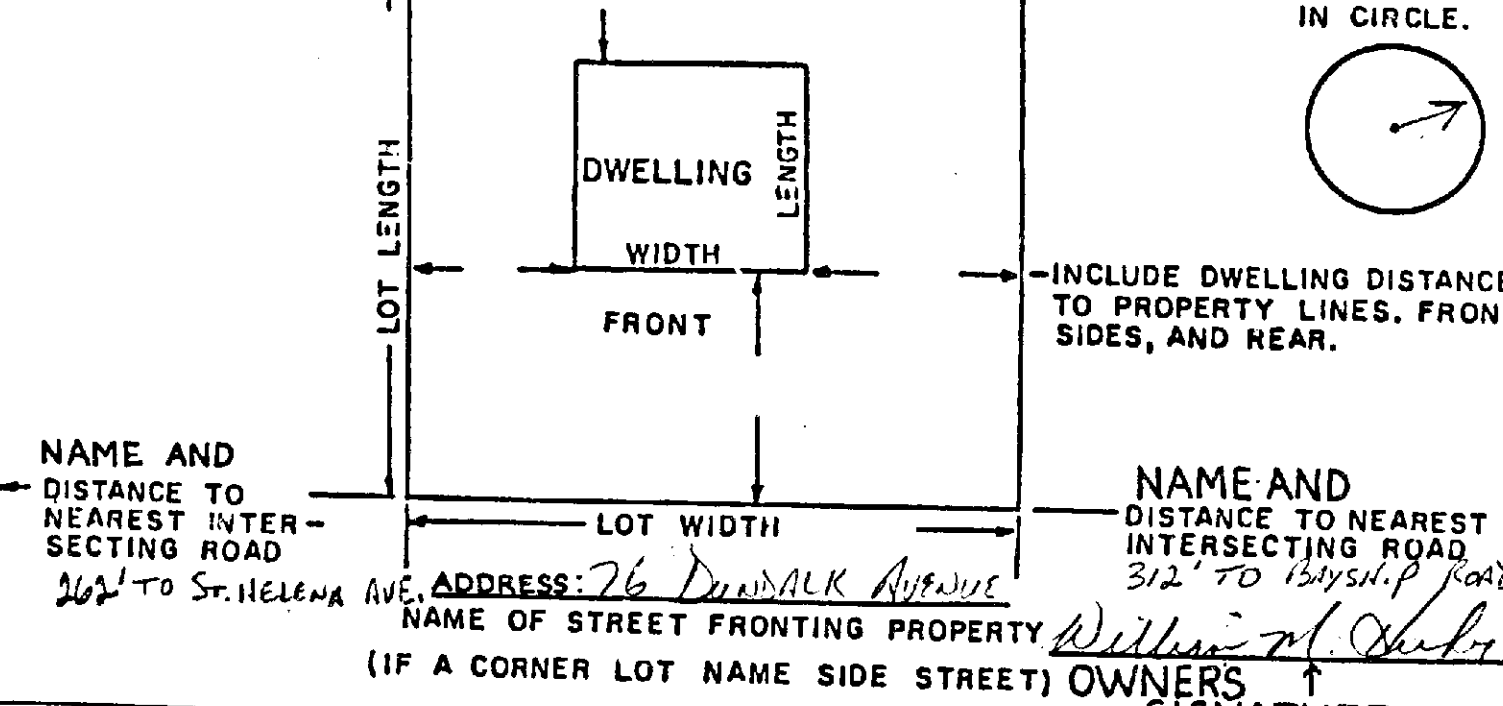


THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$3500 MADE PAYABLE TO: BALTIMORE COUNTY, MARYLAND



DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.

LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.



TO WHOM IT MAY CONCERN,

To my knowledge 76 Dundalk has been configured as two apartments for over 40 years.

I personally lived on Patapsco Avenue, which is only two blocks away and knew Mrs. Schork personally. I remember when the residence was set up as two apartments in 1950. Mrs. Storch used the basement apartment rent to supplement her income.

On several occasions I was invited into the premises and observed how the two apartments were configured. The basement apartment had a separate entrance in the rear and a full bath and apartment consisted of the first and second floors with front and rear entrances.

I am personally aware of the fact that this residence has been rented as two apartments continually since 1950. I know Mrs. Betty Lou Webber and Mr. Huhn. I am aware they have continued to rent the property as two apartments while they have been the owners.

Mrs. Betty Lou Webber purchased 76 Dundalk Avenue in 1976 from the estate of Mrs. Schork and continued to rent the basement.

Mr. Huhn purchased the property in December 1977 and has continued to rent both units.

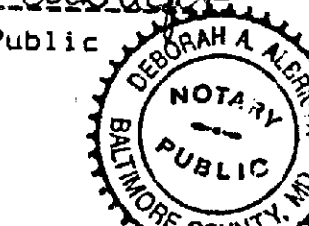
John W. Paul
John W. Paul

STATE OF MARYLAND, County of Baltimore, to wit:

I Hereby Certify, That on this 5th day of April, 1952, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared *John W. Paul* known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that *John W. Paul* executed the same for the purposes therein contained, and in my presence signed and sealed the same. IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Deborah A. Albright
Notary Public

My Commission expires: Nov. 11, 1993



AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant and Affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

John W. Paul, Jr.
Affiant (Handwritten Signature)
John W. Paul, Jr.
Affiant (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

- Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 76 DUNDALK AVENUE BALTO. MD. 21222 has been occupied as a TWO (two, three, etc.) apartment dwelling since AUGUST 1950? YES (month) (year) (answer)
- Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since AUGUST 1950? YES (month) (year) (answer)
- Will you realize any gain from the sale of this Property? No (answer)

STATE OF MARYLAND, County of Baltimore, to wit:

I HEREBY CERTIFY, this 8th day of January, 1952, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared *John W. Paul, Jr.* identified to me as such the Affiant herein, personally known or satisfactorily identified to me as such the Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Deborah A. Albright
Notary Public
My Commission Expires: 10/5/93

TO WHOM IT MAY CONCERN,

I have personal knowledge that the residence located at 76 Dundalk Avenue has been utilized as two apartments since 1950. The two apartments consisted of a basement unit with a separate rear entrance and a unit consisting of the first and second floors with entrances from the front and rear. Mrs. Schork lived in the basement so she could rent it as an apartment and supplement her income. She lived on the first and second floors herself and rented the basement until her death in 1976. During this period of time I had occasions to visit her and see how the residence was set up.

When Mrs. Schork passed away, Mrs. Betty Lou Webber purchased the property and continued renting the basement unit also until Mr. Huhn purchased the property in December of 1977. Mr. Huhn has continued to rent the property as a basement unit and first and second floor unit since his purchase.

To my knowledge 76 Dundalk has been set up as two apartments continually for the past 40 years without interruption.

Eugenia A. Freiseis
Eugenia A. Freiseis

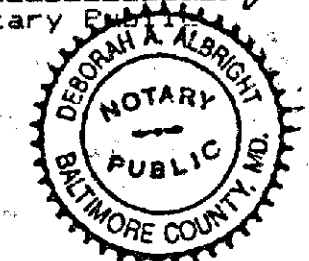
STATE OF MARYLAND, County of Baltimore, to wit:

I Hereby Certify, That on this 5th day of April, 1952, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared *Eugenia A. Freiseis* known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that *Eugenia A. Freiseis* executed the same for the purposes therein contained, and in my presence signed and sealed the same. IN WITNESS WHEREOF, I hereunto set my hand and official seal.

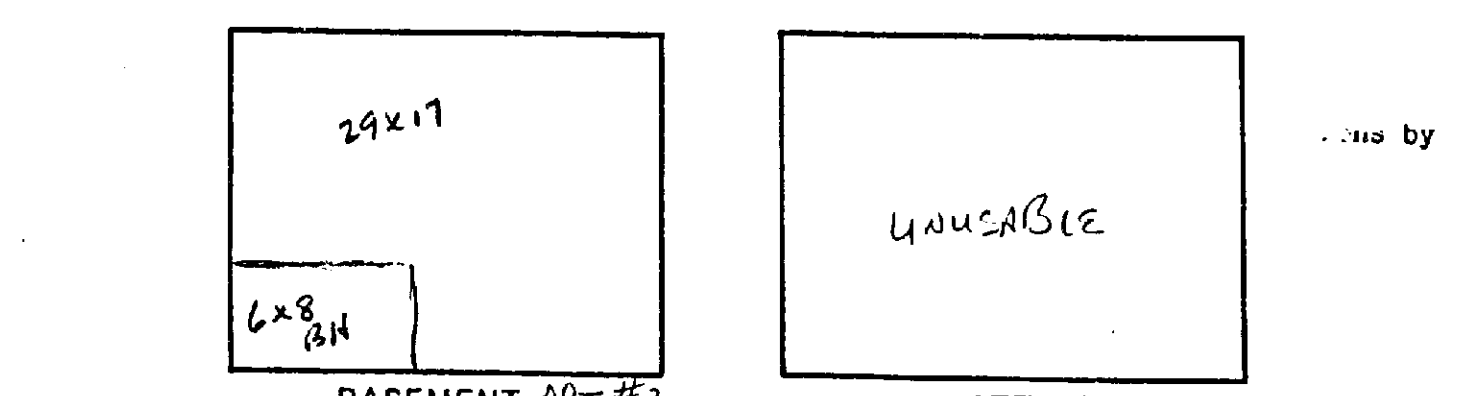
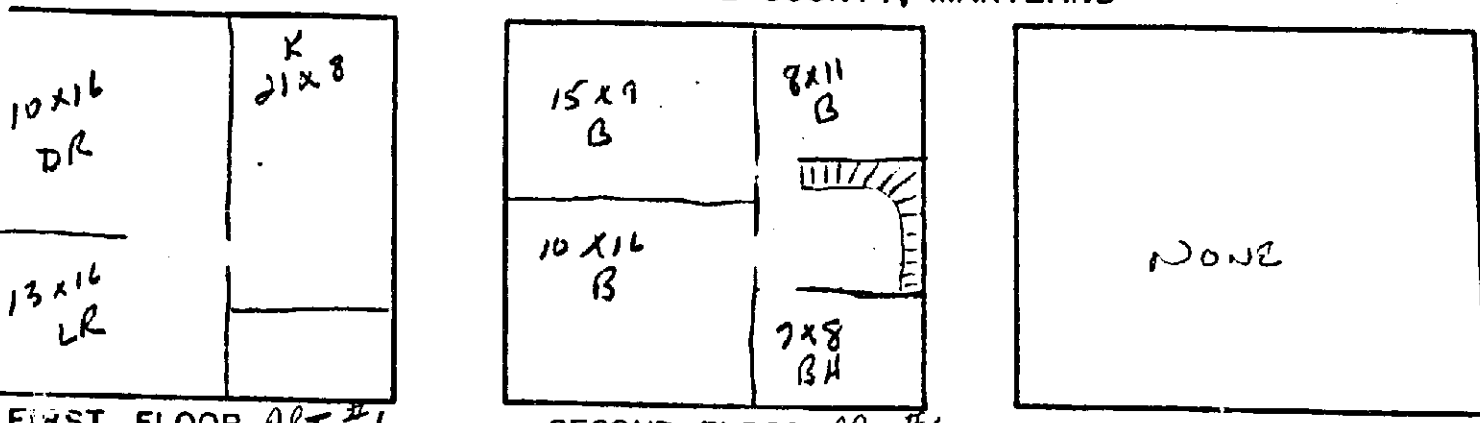
Deborah A. Albright
Notary

My Commission expires:

November 17, 1993

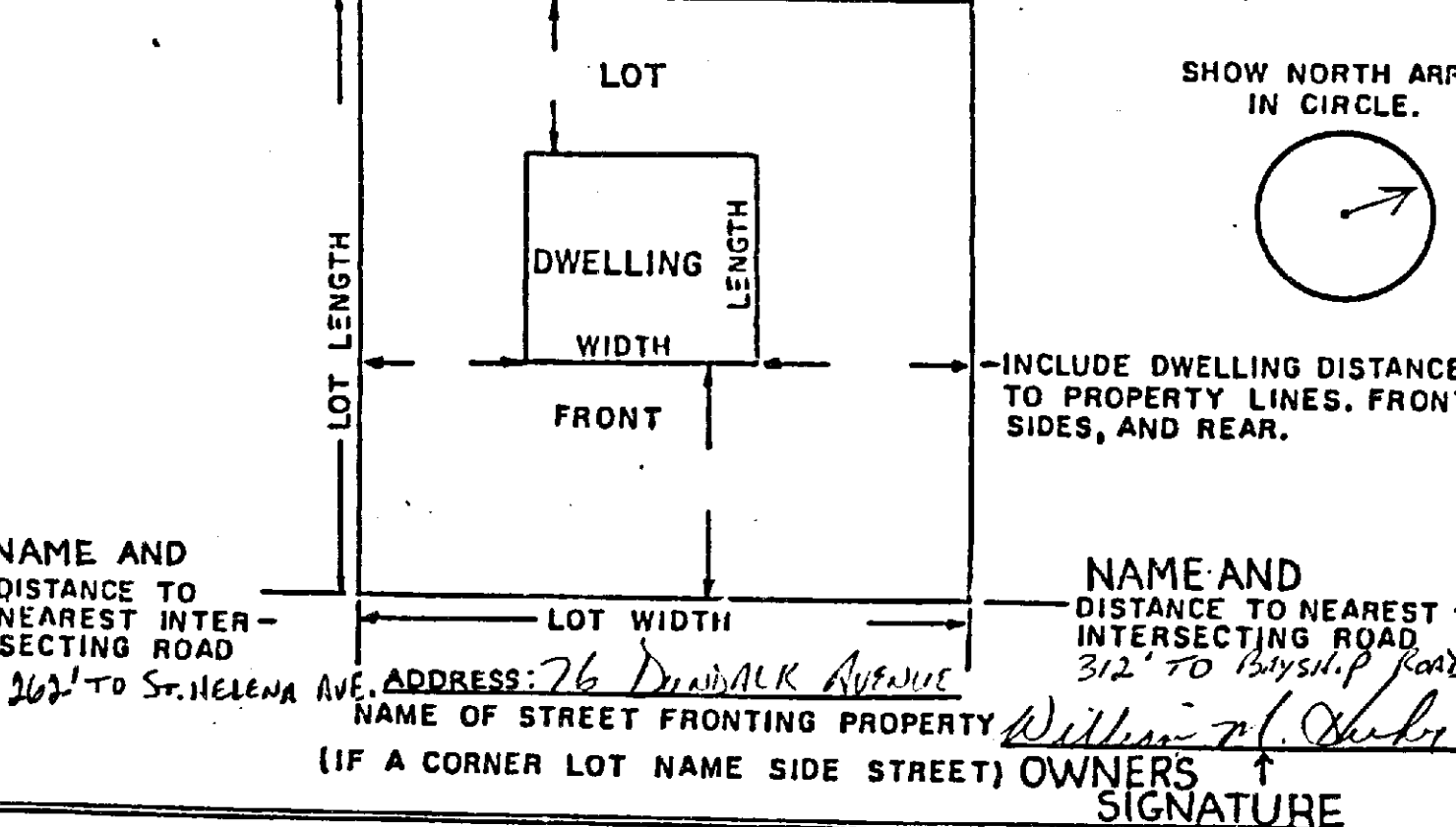


THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$3500 MADE PAYABLE TO: BALTIMORE COUNTY, MARYLAND



DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.

LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 12th Date of Posting: 3/3/90
Posted for: Special Hearing
Petitioner: William M. Huhn, Jr.
Location of property: 76 Dundalk Ave., Balto. & S. St. Helena Ave.
Location of Sign: 76 Dundalk Ave., Balto. & S. St. Helena Ave.
Remarks: Property of Baltimore
Posted by: W. Huhn Date of return: 3/9/90
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 22, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb. 22, 1990.

THE JEFFERSONIAN,

S. Zere Olson
Publisher

NOTICE OF HEARING
The Zoning Commission of Baltimore County, Maryland, will hold a public hearing on the application of William M. Huhn, Jr. for a Special Use Permit for a two-unit apartment building at 76 Dundalk Avenue, Baltimore County, Maryland. The hearing will be held on Wednesday, March 7, 1990, at 7:00 PM, in the County Office Building, 100 North E. Baltimore Avenue, Baltimore, Maryland 21202. A notice of this hearing is being published in the Towson edition of The Jeffersonian newspaper on February 22, 1990.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland on the following:

Petition for Special Hearing
CASE NUMBER: 90-366-SPH
W/S of Dundalk Avenue, 262' S of St. Helena Avenue
76 Dundalk Avenue
12th Election District
7th Councilmanic District

Petitioner(s): William M. Huhn, et ux
HEARING: WEDNESDAY, MARCH 21, 1990 at 11:00 a.m.

Special Hearing: A nonconforming use for an existing two apartment dwelling.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222
Feb. 22, 1990

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. Case #90-366-SPH - P.O. #0102699 - Reg. #M39832 - 78 lines was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one week, before the 23rd day of February 1990; that is to say, the same was inserted in the issues of Feb. 22, 1990

Kimbel Publication, Inc.
per Publisher.

By *J.C. Noble*

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

DATE _____

Mr. & Mrs. William M. Huhn
75 Dundalk Avenue
Baltimore, Maryland 21222

Re: Petition for Special Hearing
CASE NUMBER: 90-366-SPH
W/S of Dundalk Avenue, 262' S of St. Helena Avenue
76 Dundalk Avenue
12th Election District - 7th Councilmanic
Petitioner(s): William M. Huhn, et ux
HEARING: WEDNESDAY, MARCH 21, 1990 at 11:00 a.m.

Dear Mr. & Mrs. Huhn:

Please be advised that \$ _____ is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
Account: R 001-6150
No 1819

Date

3/21/90

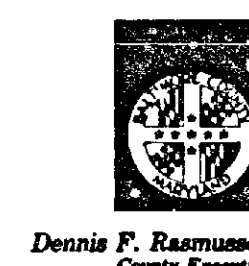
	QTY	PRICE
PUBLIC HEARING FEES		
080 -POSTING SIGNS / ADVERTISING 1 X		\$106.70
TOTAL:		\$106.70

LAST NAME OF OWNER: HUHNS

Cashier Validation: B 8050*****106701a 3211F
Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner



Your petition has been received and accepted for filing this 7th day of February, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: William M. Huhn, et ux
Petitioner's Attorney: Isaac Klein

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

February 8, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing
CASE NUMBER: 90-366-SPH
W/S of Dundalk Avenue, 262' S of St. Helena Avenue
76 Dundalk Avenue
12th Election District - 7th Councilmanic
Petitioner(s): William M. Huhn, et ux
HEARING: WEDNESDAY, MARCH 21, 1990 at 11:00 a.m.

Special Hearing: A nonconforming use for an existing two apartment dwelling.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs

cc: Mr. & Mrs. Huhn
File

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

Paul H. Reincke
Chief

February 1, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: WILLIAM M. HUHNS
Location: W/S OF DUNDALK AVENUE
Item No.: 226 Zoning Agenda: FEBRUARY 6, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Pat Keller* 2-1-90 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

FEB 0 6 1990

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

March 13, 1990

Mr. & Mrs. William M. Huhn
76 Dundalk Avenue
Baltimore, MD 21222

RE: Item No. 226, Case No. 90-366-SPH
Petitioner: William M. Huhn, et ux
Petition for Special Hearing

Dear Mr. & Mrs. Huhn:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of any problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer
Zoning Supervisor

DATE: January 11, 1990

FROM: James H. Thompson
Zoning Enforcement Coordinator

RE: Item No. 226 (if known)
Petitioner: William M. Huhn (if known)

VIOLATION CASE #C90-576
(Citation No. 90-183)
LOCATION OF VIOLATION 76 Dundalk Ave.

DEFENDANT William M. Huhn
ADDRESS 76 Dundalk Ave., Balto, MD 21222

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME	ADDRESS
Robert Moorefield	Department of Community Development MS1102M

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

ech/

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: February 1, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: William M. Huhn, Item 226

The Petitioner requests a Special Hearing to approve a non-conforming use for an existing two-apartment dwelling.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 867-3211.

PK/JL/cmm

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 6, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 157, 219, 223, 226, 227, 228, 230, 232, 233 and 234. In addition, we have no comments for Item 176-Ferry Hall Square, and Item 162-Kelso Research Park.

89-471-SPHXA - Exxon Service Center is subject to County Review Group comments previously submitted on December 20, 1989.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:g

IN RE: PETITION FOR SPECIAL HEARING
W/S of Dundalk Avenue, 262' +/-
S of St. Helena Avenue
(76 Dundalk Avenue)
12th Election District
7th Councilmanic District
William M. Huhn, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-366-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve the nonconforming use of the subject property as a two apartment dwelling in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 76 Dundalk Avenue, consists of .046 acres zoned D.R. 10.5 and is improved with a two story attached dwelling with basement. As a result of a complaint filed with the Zoning Office, Petitioners were advised to file the instant Petition to approve a nonconforming use of the subject property as a two apartment dwelling. Testimony indicated Petitioners purchased the property in 1977 from Betty Lou Weber at which time the first and second floors were rented as one apartment and the basement as a second apartment. Mr. Huhn testified that they have continued to rent the property as a two apartment dwelling without interruption other than for a change in tenants. Petitioners argued the property enjoys a nonconforming use as it has been used continuously and without interruption as a two apartment dwelling since 1950. To support their position, Petitioners introduced the affidavit of John W. Paul, Jr. who testified that since August, 1950 the property has been used as a two apartment dwelling. Testimony indicated Mr. Paul lives a few streets from the subject site on Patapsco Avenue and was familiar with the property. Petitioners further testified that they had spoken with Mrs. Eugenia A. Freiseis who was a personal friend of the original property owner, a Mrs. Schork. Testimony indicated that Mrs. Freiseis was familiar with the property and was aware that the property was rented as a two apartment dwelling continuously and without interruption from 1945 to 1976 at which time Mrs. Schork's estate sold the property.

A review of the zoning maps of Baltimore County would indicate that the property was zoned "g" commencing in 1945 which permitted as of right a two apartment dwelling.

At the close of the hearing, Petitioners were advised that more detailed information was needed from both Mr. Paul and Mrs. Freiseis to support the testimony presented. Mr. Paul was excused as he was out of town at the time of the hearing and Mrs. Freiseis was recently hospitalized preventing her from attending the hearing as planned. Said information has been submitted and marked Petitioner's Exhibits 3 and 4.

Petitioners seek relief from Section 104.1, pursuant to Section 500 of the Baltimore County Zoning Regulations (B.C.Z.R.).

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning. Testimony indicated that at the time the dwelling was converted to a two apartment dwelling, the use was permitted under the property's then zoning classification.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is

a different use, and therefore, breaks the continued nature of the non-conforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered non-conforming. See McKenny v. Baltimore County, Md., 39 Md. App. 257, 385 A2d. 96 (1978). The testimony presented in this instance indicates that there has been no change or expansion of the use.

After due consideration of the testimony and evidence presented, it appears that the subject property has been used continuously and without interruption as a two apartment dwelling and as such, a legal nonconforming use of the property exists.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of April, 1990 that the Petition for Special Hearing to approve the nonconforming use of the subject property as a two apartment dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

AMN:bjs

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 837-3353
J. Robert Haines
Zoning Commissioner

April 12, 1990

Mr. & Mrs. William M. Huhn
76 Dundalk Avenue
Baltimore, Maryland 21222

RE: PETITION FOR SPECIAL HEARING
W/S of Dundalk Avenue, 262' +/- S of St. Helena Avenue
(76 Dundalk Avenue)
12th Election District - 7th Councilmanic District
William M. Huhn, et ux - Petitioners
Case No. 90-366-SPH

Dear Mr. & Mrs. Huhn:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-366-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a nonconforming use for an existing two apartment dwelling.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

William M. Huhn
(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Address

City and State

Name

Address

City and State

Name

Address

City and State

Name

Address

City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of Feb, 1990, that the subject matter of this petition be advertised, as of Feb 21, 1990, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 21st day of March, 1990, at 11 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

Z.C.O.-No. 1

(over)



ZONING DESCRIPTION

Beginning at a point on the west side of Dundalk Avenue which is 120' wide at the distance of 262' south of St. Helena Avenue which is 40' wide. Being Lot # (9), Block (1) in the Subdivision of Dundalk Manor as recorded in the Baltimore County Plat Book # (9), Folio # (49), containing .046 acres. Also known as 76 Dundalk Avenue in the # 12 Election District.

Baltimore County
Zoning Commission
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number:

No. 920

Date

PUBLIC HEARING FEES

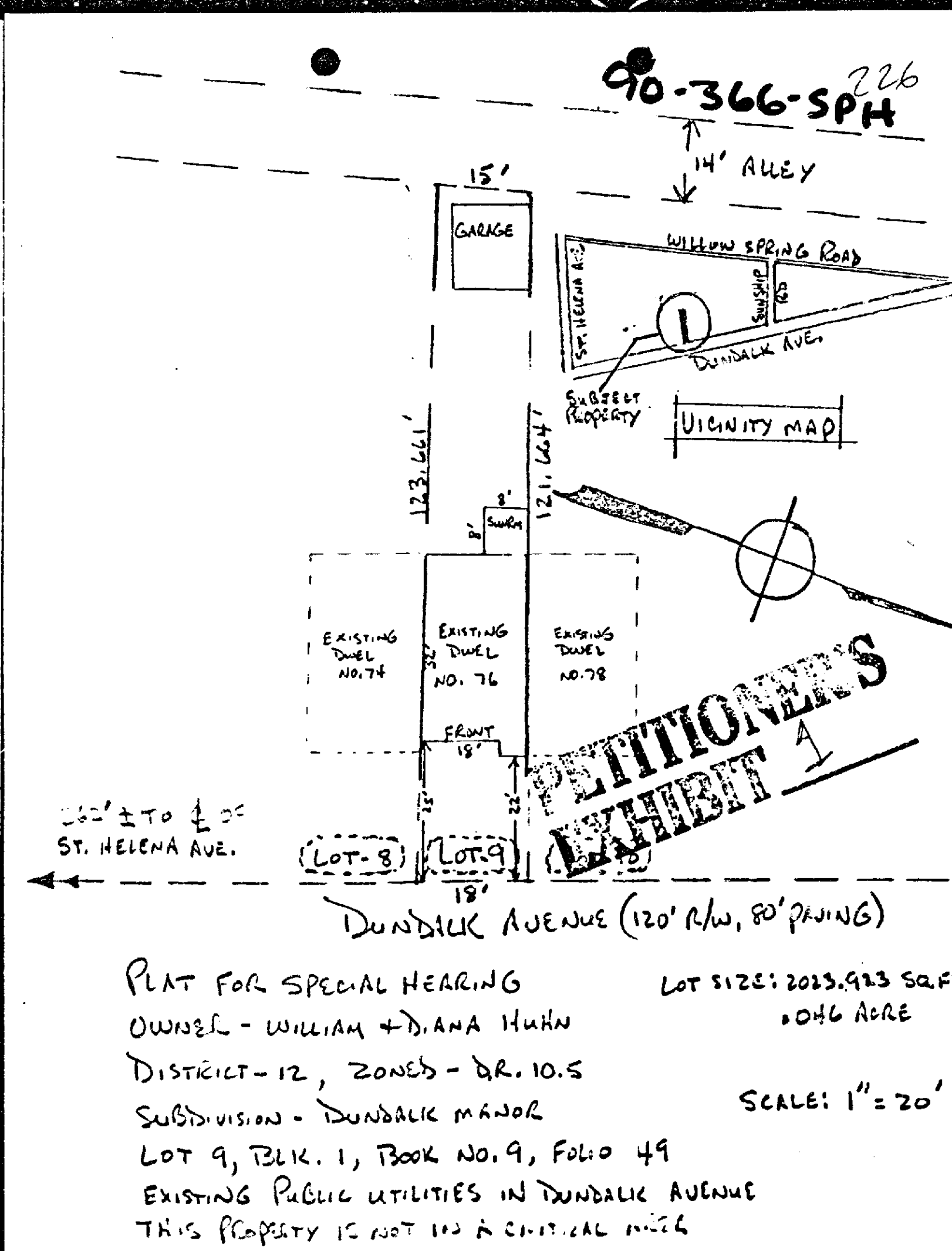
0.00 - SPECIAL HEARING (TTL)

LAST NAME OF OWNER: HUHN

FEES: \$35.00

Cashier Validation:

Please make checks payable to: Baltimore County



PLAT FOR SPECIAL HEARING

OWNER - WILLIAM M. HUHNS

DISTRICT - 12, ZONES - DR. 10.5

SUBDIVISION - DUNDALK MANOR

LOT 9, BLK. 1, BOOK NO. 9, FOLIO 49

EXISTING PUBLIC UTILITIES IN DUNDALK AVENUE

THIS PROPERTY IS NOT IN A CRITICAL AREA

LOT SIZE: 2013.913 SQ. FT.
0.046 ACRE

SCALE: 1" = 20'

AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant and Affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

John W. Paul, Jr.
Affiant (Handwritten Signature)
John W. Paul, Jr.
Affiant (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

1. Can you verify by this affidavit, and/or testify in Court if necessary, that the home located at 76 DUNDALK AVENUE BALTO. MD. 21222 has been occupied as a TWO (two, three, etc.) apartment dwelling since

AUGUST 1950? YES
(month) (year) (answer)

2. Can you also verify and testify, if necessary, that said apartments have been occupied by renters every year since AUGUST 1950? YES
(month) (year) (answer)

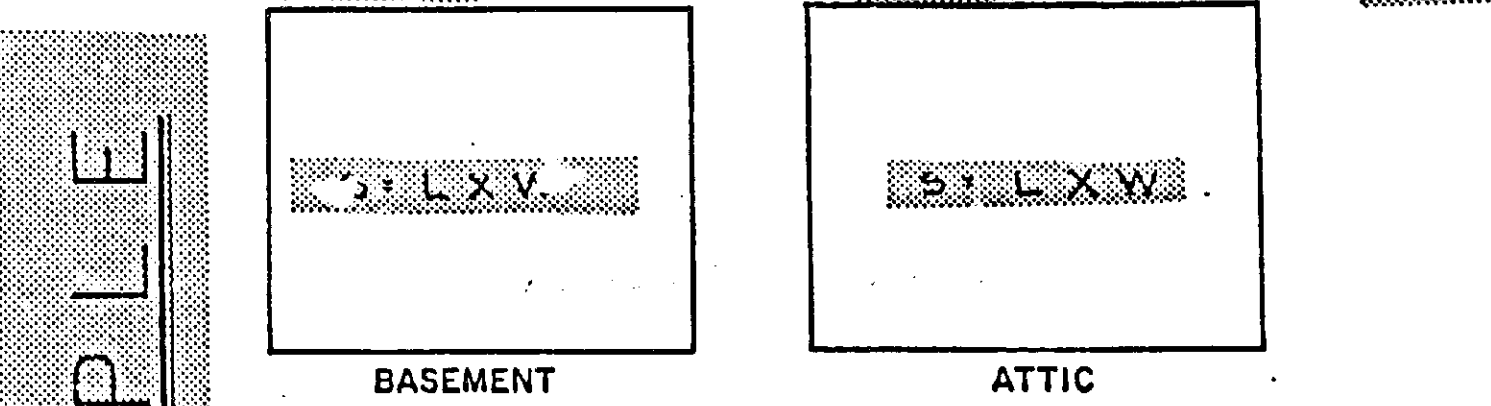
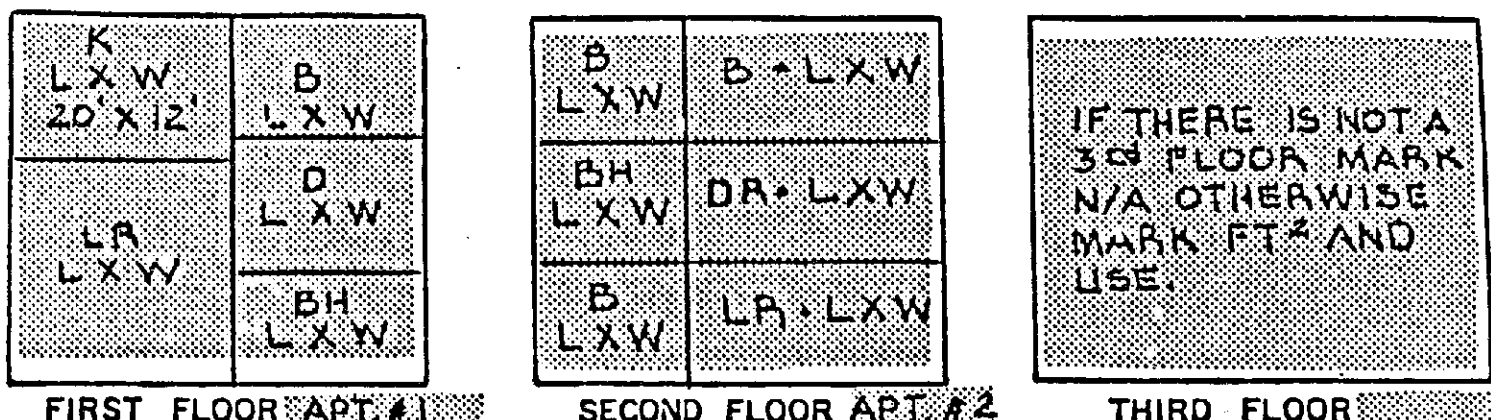
3. Will you realize any gain from the sale of this Property?

STATE OF MARYLAND, County of Baltimore, to wit:
I HEREBY CERTIFY, this 3rd day of August, 1952, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared *John W. Paul, Jr.* identified to me as such the Affiant herein, personally known or satisfactorily identified to me as such the Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

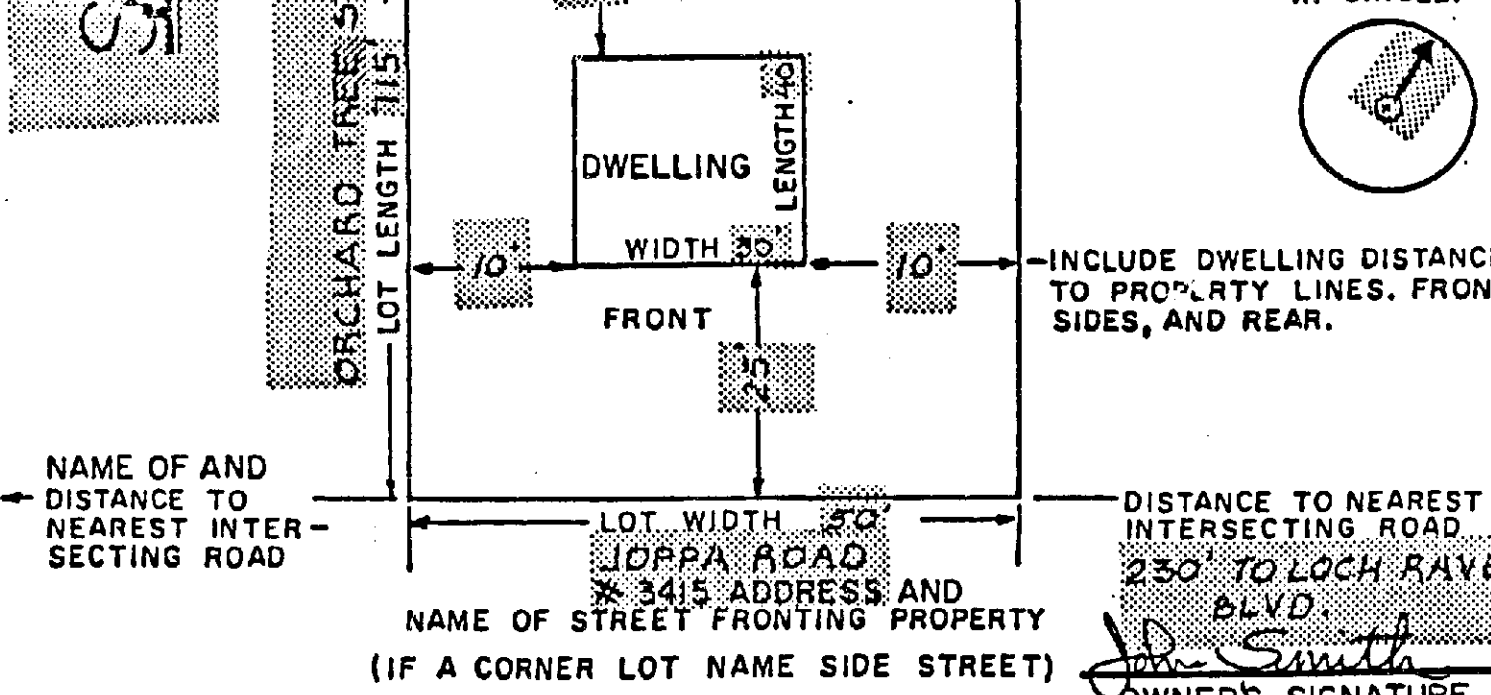
Deborah A. Albright
Notary Public
My Commission Expires: 10/5/93

THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$3500 MADE PAYABLE TO: BALTIMORE COUNTY

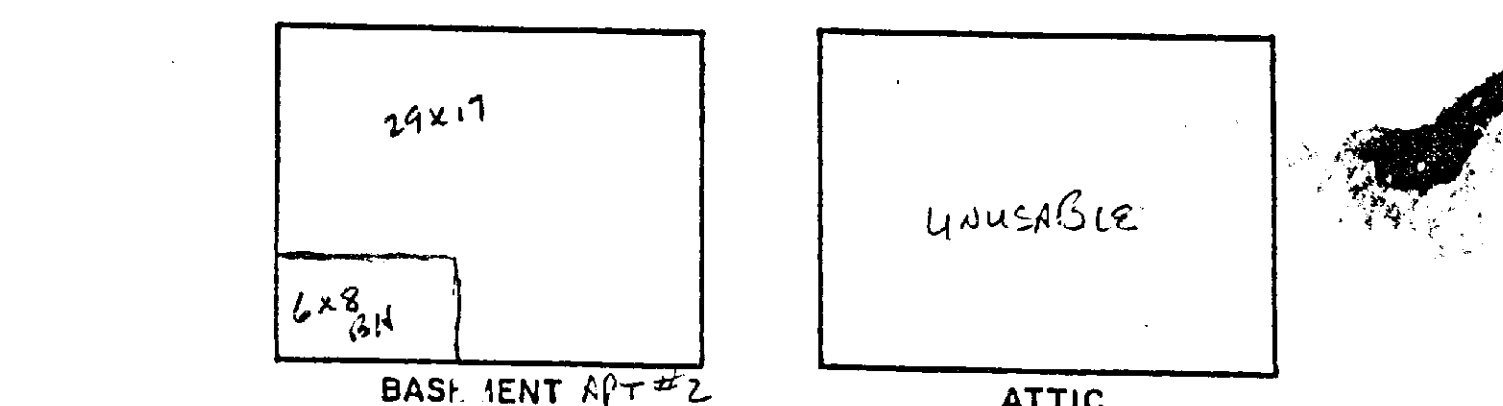
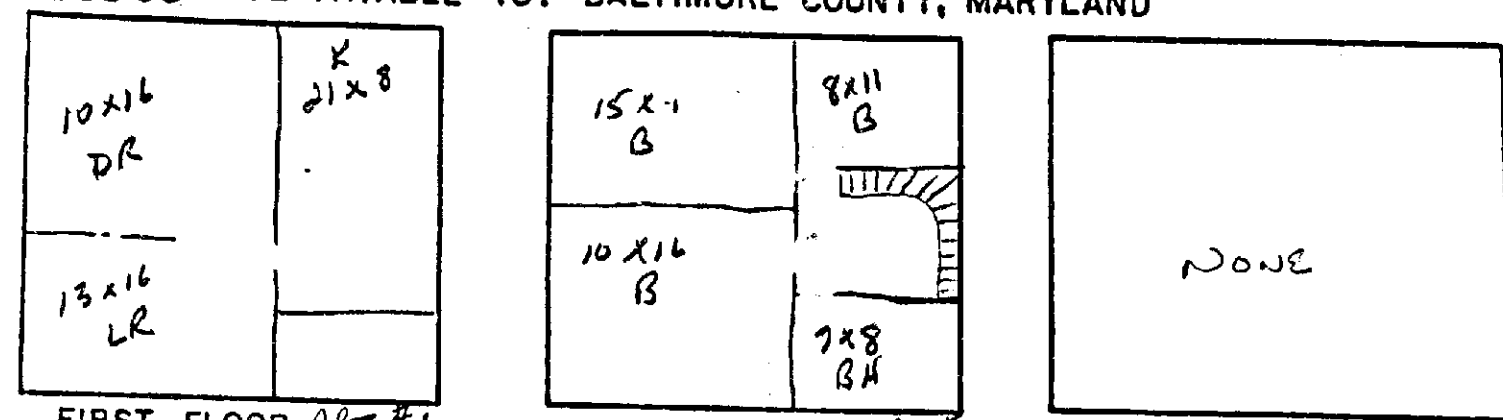


DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.

LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.

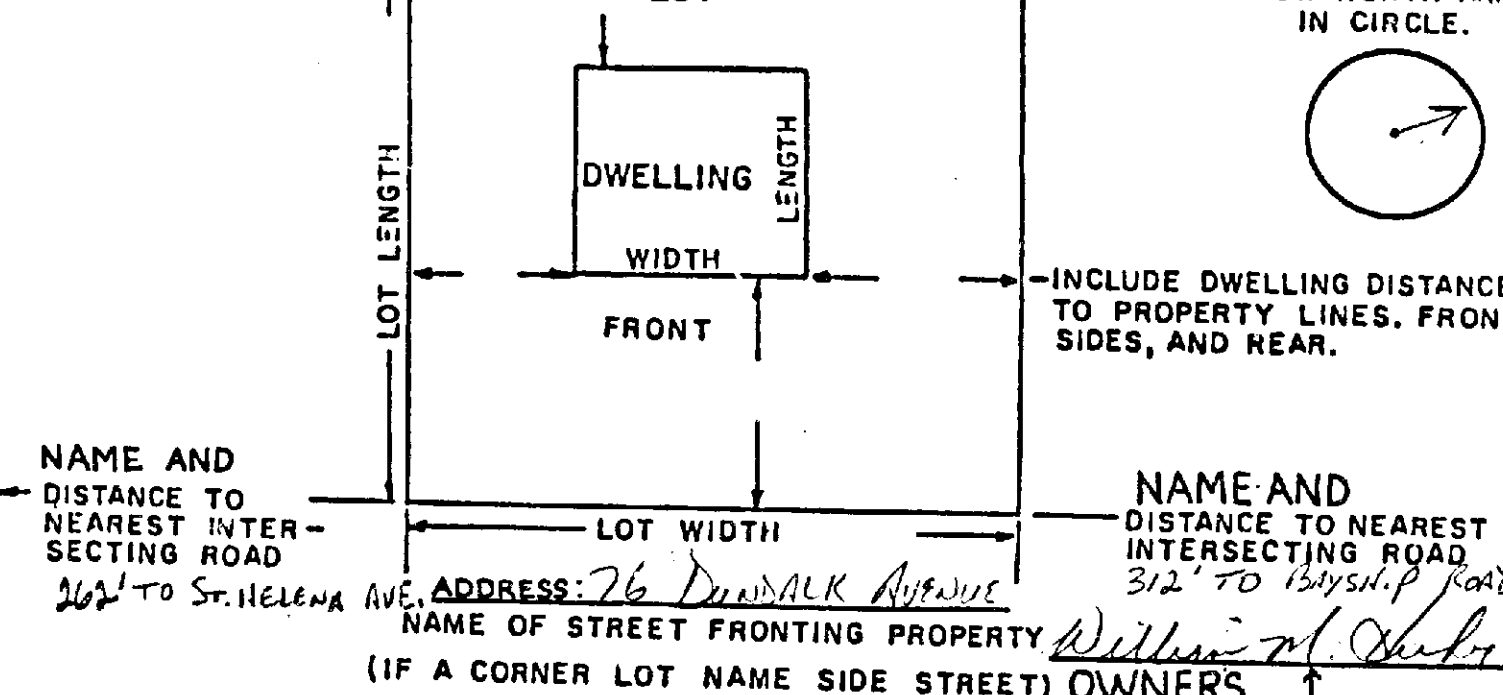


THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$3500 MADE PAYABLE TO: BALTIMORE COUNTY, MARYLAND



DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.

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TO WHOM IT MAY CONCERN,

To my knowledge 76 Dundalk has been configured as two apartments for over 40 years.

I personally lived on Patapsco Avenue, which is only two blocks away and knew Mrs. Schork personally. I remember when the residence was set up as two apartments in 1950. Mrs. Schork used the basement apartment rent to supplement her income.

On several occasions I was invited into the premises and observed how the two apartments were configured. The basement apartment had a separate entrance in the rear and a full bath and apartment consisted of the first and second floors with front and rear entrances.

I am personally aware of the fact that this residence has been rented as two apartments continually since 1950. I know Mrs. Betty Lou Webber and Mr. Huhn. I am aware they have continued to rent the property as two apartments while they have been the owners.

Mrs. Betty Lou Webber purchased 76 Dundalk Avenue in 1976 from the estate of Mrs. Schork and continued to rent the basement.

Mr. Huhn purchased the property in December 1977 and has continued to rent both units.

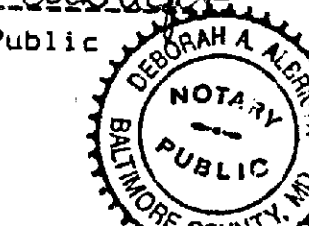
John W. Paul
John W. Paul

STATE OF MARYLAND, County of Baltimore, to wit:

I Hereby Certify, That on this 3rd day of April, 1952, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared *John W. Paul* known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that *John W. Paul* executed the same for the purposes therein contained, and in my presence signed and sealed the same. IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Deborah A. Albright
Notary Public

My Commission expires: Nov. 11, 1993



AFFIDAVIT

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant and Affiant is competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

John W. Paul, Jr.
Affiant (Handwritten Signature)
John W. Paul, Jr.
Affiant (Printed Name)

Based upon your personal knowledge, please answer the following questions by indicating yes or no in the space provided:

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AUGUST 1950? YES
(month) (year) (answer)

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(month) (year) (answer)

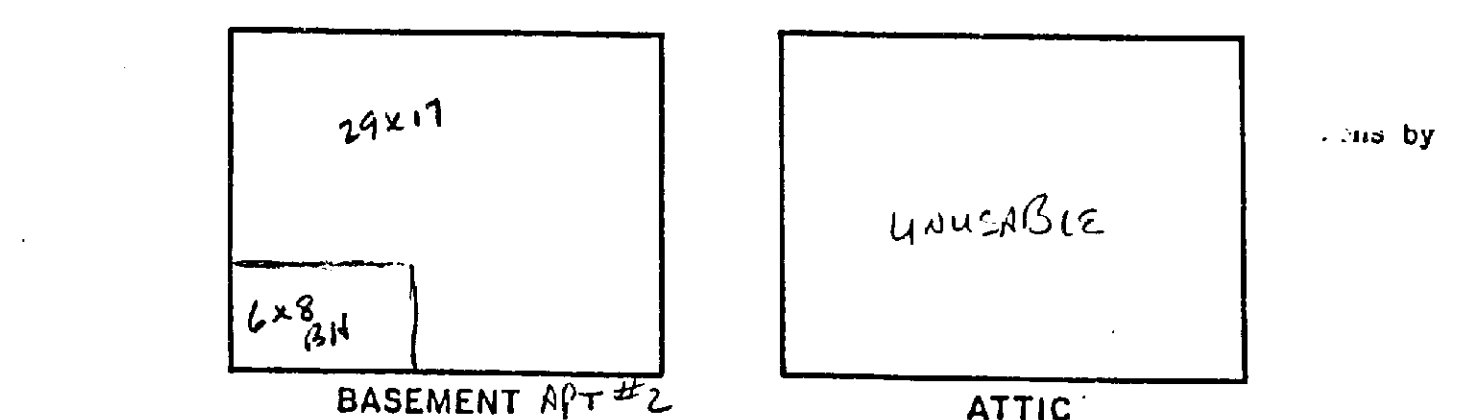
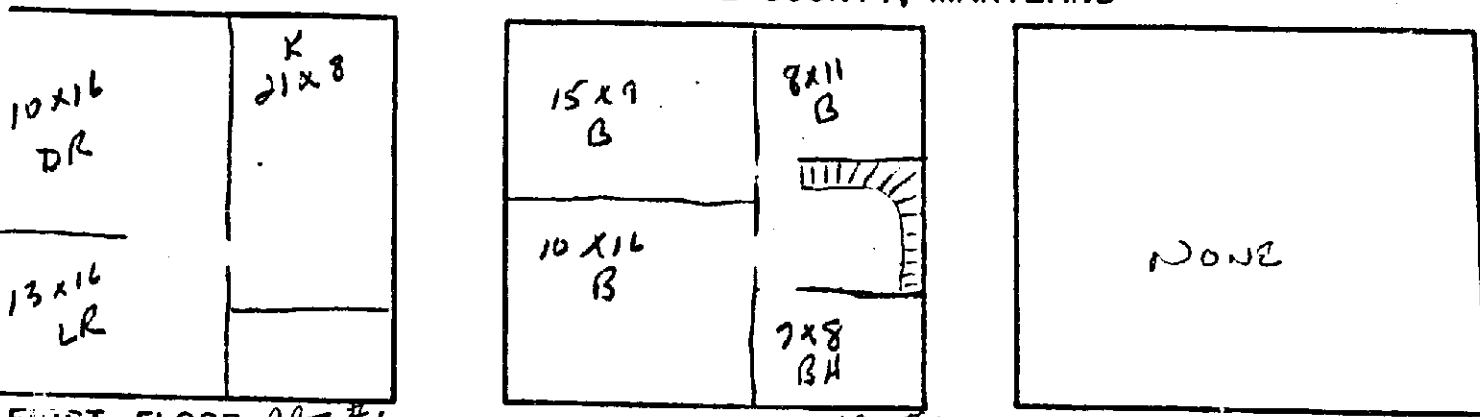
3. Will you realize any gain from the sale of this Property? No (answer)

STATE OF MARYLAND, County of Baltimore, to wit:
I HEREBY CERTIFY, this 3rd day of January, 1952, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared *John W. Paul, Jr.* identified to me as such the Affiant herein, personally known or satisfactorily identified to me as such the Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

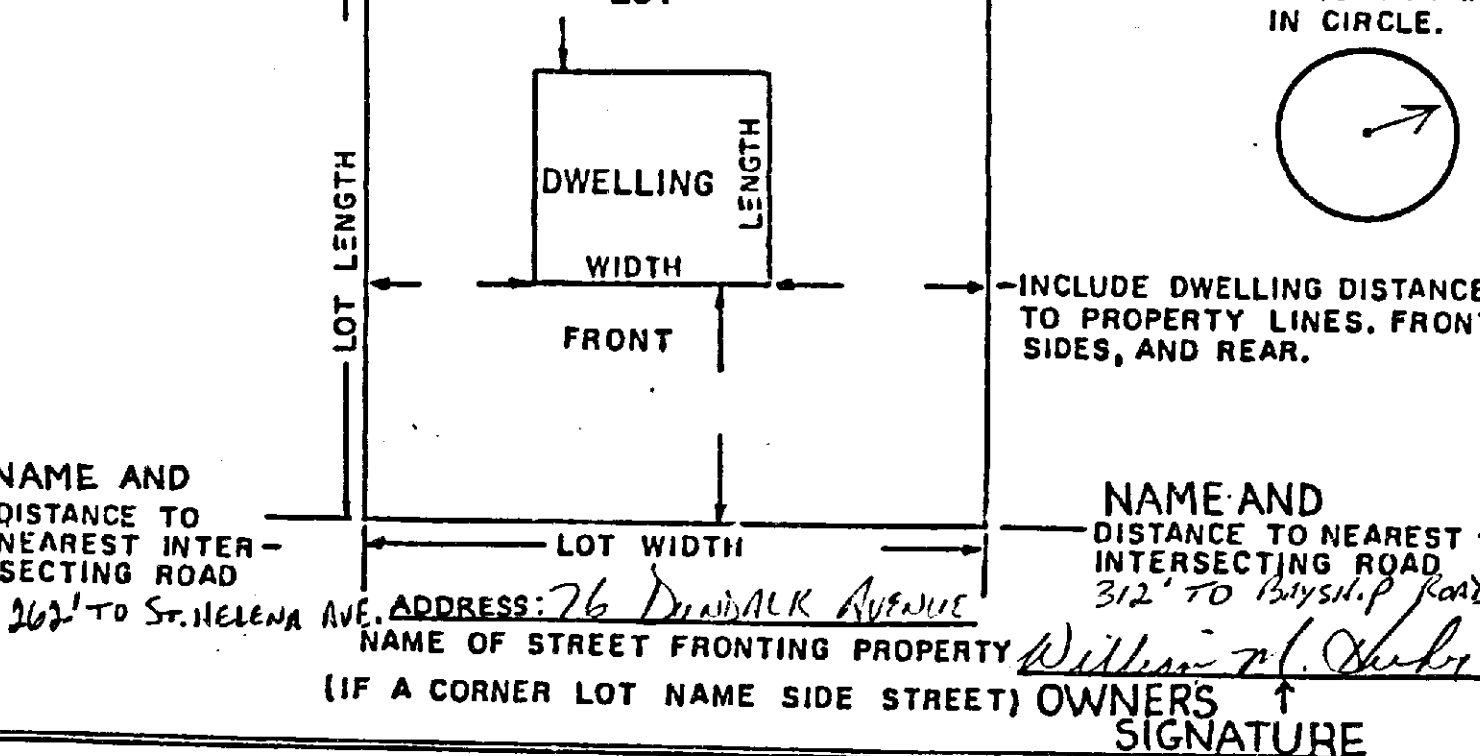
Deborah A. Albright
Notary Public
My Commission Expires: 10/5/93

THIS SHEET TO BE SUBMITTED WITH 2 APARTMENT AFFIDAVIT AND A CHECK FOR \$3500 MADE PAYABLE TO: BALTIMORE COUNTY, MARYLAND



DIRECTIONS: DRAW IN EACH ROOM AND MARK ITS USE/LENGTH AND WIDTH. MARK WHICH FLOOR HAS APARTMENT. IF DWELLING IS SEMI DETACHED USE 1 SHEET FOR EACH APARTMENT.

LEGEND: K=KITCHEN, B=BEDROOM, BH=BATH, S=STORAGE, C=CLOSET, LR=LIVING ROOM, DR=DINING ROOM, AND D=DEN.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th Date of Posting: 3/3/90
Posted for: Special Hearing
Petitioner: William M. Huhn, Jr.
Location of property: 76 Dundalk Ave., Balto. & S. St. Helena Ave.
Location of Sign: 76 Dundalk Ave., Balto. & S. St. Helena Ave.
Remarks: Property of Baltimore
Posted by: W. Huhn Date of return: 3/9/90
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 22, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Feb. 22, 1990.

THE JEFFERSONIAN,

S. Zane Wilson
Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland on the following:

Petition for Special Hearing
CASE NUMBER: 90-366-SPH
W/S of Dundalk Avenue, 262' S of St. Helena Avenue
76 Dundalk Avenue
12th Election District
7th Councilmanic District

Petitioner(s): William M. Huhn, et ux
HEARING: WEDNESDAY, MARCH 21, 1990 at 11:00 a.m.

Special Hearing: A nonconforming use for an existing two apartment dwelling.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222
Feb. 22, 1990

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. Case #90-366-SPH - P.O. #0102699 - Reg. #M39832 - 78 lines was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~insertion~~ week, before the 23rd day of February 1990; that is to say, the same was inserted in the issues of Feb. 22, 1990

Kimbel Publication, Inc.
per Publisher.

By *J.C. Noble*

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

DATE _____

Mr. & Mrs. William M. Huhn
76 Dundalk Avenue
Baltimore, Maryland 21222

Re: Petition for Special Hearing
CASE NUMBER: 90-366-SPH
W/S of Dundalk Avenue, 262' S of St. Helena Avenue
76 Dundalk Avenue
12th Election District - 7th Councilmanic
Petitioner(s): William M. Huhn, et ux
HEARING: WEDNESDAY, MARCH 21, 1990 at 11:00 a.m.

Dear Mr. & Mrs. Huhn:

Please be advised that \$ _____ is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
No 1819

Account: R 001-6150
Number

90-366

Date

3/21/90

	QTY	PRICE
PUBLIC HEARING FEES		
080 -POSTING SIGNS / ADVERTISING 1 X		\$106.70
TOTAL:		\$106.70

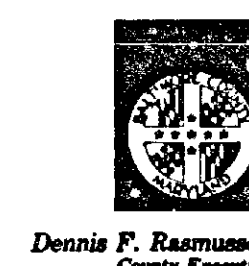
LAST NAME OF OWNER: HUHNS

B 050*****106701a 3211F
Please make checks payable to: Baltimore County

Cashier Validation:

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner



Your petition has been received and accepted for filing this 7th day of February, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: William M. Huhn, et ux
Petitioner's Attorney: Isaac Klein

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

February 8, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing
CASE NUMBER: 90-366-SPH
W/S of Dundalk Avenue, 262' S of St. Helena Avenue
76 Dundalk Avenue
12th Election District - 7th Councilmanic
Petitioner(s): William M. Huhn, et ux
HEARING: WEDNESDAY, MARCH 21, 1990 at 11:00 a.m.

Special Hearing: A nonconforming use for an existing two apartment dwelling.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs

cc: Mr. & Mrs. Huhn
File

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

Paul H. Reincke
Chief

February 1, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



RE: Property Owner: WILLIAM M. HUHNS
Location: W/S OF DUNDALK AVENUE
Item No.: 226 Zoning Agenda: FEBRUARY 6, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Pat Keller* 2-1-90 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

FEB 0 6 1990

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

March 13, 1990

Mr. & Mrs. William M. Huhn
76 Dundalk Avenue
Baltimore, MD 21222



RE: Item No. 226, Case No. 90-366-SPH
Petitioner: William M. Huhn, et ux
Petition for Special Hearing

Dear Mr. & Mrs. Huhn:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of any problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer
Zoning Supervisor

DATE: January 11, 1990

FROM: James H. Thompson
Zoning Enforcement Coordinator

RE: Item No. 226 (if known)
Petitioner: William M. Huhn (if known)

VIOLATION CASE #C90-576
(Citation No. 90-183)
LOCATION OF VIOLATION 76 Dundalk Ave.

DEFENDANT William M. Huhn
ADDRESS 76 Dundalk Ave., Balto, MD 21222

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME	ADDRESS
Robert Moorefield	Department of Community Development MS1102M

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

ech/

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: February 1, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: William M. Huhn, Item 226

The Petitioner requests a Special Hearing to approve a non-conforming use for an existing two-apartment dwelling.

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 867-3211.

PK/JL/cmm

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for February 6, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 157, 219, 223, 226, 227, 228, 230, 232, 233 and 234. In addition, we have no comments for Item 176-Ferry Hall Square, and Item 162-Kelso Research Park.

89-471-SPHXA - Exxon Service Center is subject to County Review Group comments previously submitted on December 20, 1989.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:g